

Canyon. Furthermore, section 402 of the U.S. Clean Water Act prevents discharge of pollutants into the creek as has been observed where vehicles discharge oil and fuel. As a result of the numerous listed species occurring in these riparian sites, the Department must provide a high level of protection under the California Endangered Species Act (CESA) and the Federal Endangered Species Act (FESA) ensuring our actions do not compromise the continued existence of a listed species. The sections which apply here under CESA are Fish and Game Code 2090, 2095 concerning coordination with other agencies, including the Federal Endangered Species Program and Fish and Game Code section 2080 concerning "take" of an endangered species. The latter is relevant because impacts occurring as a result of the currently authorized road through long sections of endangered species habitat in the riparian areas could result in "take" of listed species after review by California Department of Fish and Game. Similarly, the FESA applies here under Section 9, 50 CFR, 17.3, the definition of "take". Review by the U.S. Fish and Wildlife Service will be necessary.

- E. Listed and Sensitive Birds.** Coyote Canyon is home to twenty-six listed or sensitive bird species, including the endangered least Bell's vireo and southwestern willow flycatcher.

Again, as mentioned in text above, CEQA/PRC, section 21001.C, regarding the prevention of the elimination of wildlife species and communities, and CEQA, Art. 5, section 15065A, regarding findings of significance where wildlife or plant species or populations are threatened, are germane to the preservation of sensitive birds. Additionally, CDPR is signatory with other State and federal resource entities to the "Memorandum of Agreement of the California Coordinated Regional Strategy To Conserve Biological Diversity, September 19, 1991". This commitment is relevant in the case of Coyote Canyon because of the extraordinary number of sensitive bird species involved. For the same reason the Department must provide a high level of protection under the California Endangered Species Act (CESA) and the Federal Endangered Species Act (FESA). The sections which apply here under CESA are Fish and Game Code 2090, 2095 concerning coordination with other agencies, including the Federal Endangered Species Program, and Fish and Game Code section 2080 regarding "take" of an endangered species. (See "D", Riparian Habitat above.) In addition, the definition an "endangered" or "rare" species in California describes many of the sensitive birds found in Coyote Canyon that are not officially listed but meet the criteria for consideration under the CEQA Guidelines, section 15380. This includes many federal candidates and California Species of Special Concern (Table I). CDFG Code 308.5 authorizes the prohibiting of any activity at water sources needed to protect birds or mammals. Given the numbers of vehicles, equestrians, bikers and campers currently using Coyote Canyon, particularly at Lower, Middle and Upper Willows, sensitive bird species found here are subject to impacts that may exceed acceptable levels.

- F. Listed Mammals.** Coyote Canyon has a large population of federal proposed threatened and California threatened Peninsular bighorn sheep. The population is estimated to comprise roughly 25% of the Peninsular bighorn remaining in the entire United States.

The Public Resources Code (PRC), 5019.53 states that "the purpose of State Parks shall be to preserve outstanding natural, scenic and cultural values". The most significant population of Peninsular bighorn left in the United States is an "outstanding natural value", deserving of our commitment to protection. CDFG Code 308.5 specifically protects bighorn watering sources and can prohibit any activity on public lands. CEQA/PRC, section 21001.C, regarding the prevention of the elimination of wildlife species and CEQA, Art. 5, section 15065A are relevant to bighorn in Coyote Canyon. For the same reason the Department is mandated to provide the highest level of protection under the California Endangered Species Act (CESA) and the Federal Endangered Species Act (FESA). The sections which apply here under CESA are Fish and Game Code 2090, 2095 concerning coordination with other agencies, including the Federal Endangered Species Program and 2080 concerning "take" of an endangered species. (See "D", Riparian Habitat, above.)

- G. Listed Reptiles.** A small population of Desert Tortoise is found in Collins Valley. The population may be introduced but receives protection under the Endangered Species Act.

The CESA and FESA apply here. Even if the population is artificial, that is, introduced, individuals receive full protection under FESA (pers. comm. U.S. Fish and Wildlife Service Wildlife Enhancement Office) and CESA (pers. comm. Frank Hoover, Ca. Dept. Fish and Game).

- H. Cultural Resources.** Coyote Canyon, with over eighty-five known Native American sites and several important villages, is regionally significant. The canyon is also part of the Juan Bautista de Anza National Historic Trail.

CEQA/PRC 21000 "requires all private and public activities, not specifically exempted, be evaluated for potential damage to the environment including effects to historical resources". State Health and Safety Code 7052 specifies that it is a felony to disturb human remains. PRC 5097.5 and 5097.99 define as a misdemeanor, the unauthorized disturbance or removal of archeological, historic or paleontological resources located on public lands. PRC 5024 and 5024.5 "requires state government to inventory and protect historic structures and objects under their jurisdiction". The National Historic Preservation Act of 1966, established the State Historic Preservation Office in order to establish guidelines and programs to inventory and protect historic resources. The Governor's Executive Order W-26-92 directs each State agency to administer and protect all cultural and historic resources within the state. CDPR Native California Indian Gathering Policy (Dept. Notice No. 88-18) seeks to preserve Native California cultural traditions by allowing gathering of plant material under certain prescribed conditions. These various laws require CDPR to adhere to strict procedures in dealing with the vast and valuable cultural resources in Coyote Canyon.

**I. Recreation Resources.** Coyote Canyon has extensive back country wilderness recreation opportunities. There are over thirty miles of unpaved jeep roads and forty miles of trails for hikers and equestrians. The canyon is within the designated 100,000 acres of state wilderness.

- 1. Relevant Laws and Policies:** The California Wilderness Act established State Wilderness Areas. Chapter 1.3 of the PRC, Sections 5093.30-5093.40, set the laws governing wilderness areas, including the stipulation that roads and motor vehicles are excluded from the official boundaries by creating the twenty foot wide corridors noted above. Section 5019.53 of the PRC allows improvements within State parks to provide for recreational activities, so long as such improvements do not involve major modification of lands, forests or waters. Section 5019.5 of the PRC requires the Department to establish and administer unit carrying capacities. While this section of the code is difficult to implement in the field, the intention to prevent damage to major resources is clear. Further more, Resource Management Directives 1830 and 1832.4 state that, "If deterioration is caused by overuse, steps are to be taken to reduce the intensity of use, and to rehabilitate the damaged resource," and, "The primary resources may not be modified, manipulated, or impaired to create or enhance recreation opportunities," respectively.

#### IV. ALTERNATIVE ACTIONS

The Coyote Canyon Public Use Plan addresses a variety of management concerns related to public recreational use and resource management. The following alternatives were considered in arriving at the selected action. Alternatives 1 through 8 below focus on the advantages and disadvantages of varying levels of public use. Two issues, for the most part, are common to each alternative - (1) location of camping in relationship to the oases, and (2) continued use of aircraft flyovers inconsistent with wilderness designations. Regardless of which alternative is selected, it is our preliminary recommendation that camping be located out of the sensitive oases areas and that aircraft be required to adhere to existing minimum flight elevations.

Alternative 8, relating to trail realignments, could be consolidated with one or more other alternative actions. It was separated out in order to highlight the issue for public response.

1. No Significant Management Changes/Status Quo - Maintaining status quo would permit the widest form of motor vehicular, mountain bike, equestrian, hiking and camping use of Coyote and tributary canyons over a nine month period.

Advantages:

- a. Maximizes vehicular use of canyon.
- b. Permits the continuation of historic vehicular access through canyon and special events tied to their use.
- c. Permits maximum camping opportunities including Upper, Middle and Lower Willows.

Disadvantages:

- a. Conflicts continue between active recreational (motor vehicles) and passive recreational (hiking, equestrian and camping) uses derived from noise, exhaust and use of common area.
- b. Continue disturbance to watering bighorn sheep at Middle and Upper Willows, and potential conflicts with State and Federal endangered species acts.
- c. Impacts to nesting activities of least Bell's vireo and possible nesting of Southwestern willow flycatcher in riparian woodlands, and conflicts with State and Federal endangered species acts.
- d. Impacts continue to four Significant Natural Areas and five Sensitive Habitats from motor vehicles, equestrians, hikers and camping.

- e. Impacts continue to the important streambed aquatic system from road use in riparian/creek habitats which directly support endangered riparian birds and bighorn sheep in two of the three oases.
  - f. Continued degradation of recreational experience, in the State Wilderness portion of the canyon, due to noise and esthetic impacts from aircraft flyovers.
2. Extend Closure Period for Motor Vehicles and Mountain Bikes Only: Camping Outside of Oases - Vehicles excluded beyond the current three month period, such as from March 15th to November 1st. Such a closure period would begin during early least Bell's vireo nesting. The extension through November 1st would provide significant increased protection to most sensitive species, dependent upon oasis areas. Hikers and equestrians would be permitted to take whichever trail is selected (see Alternative Action 8, below). Camping would be permitted outside of Upper, Middle and Lower Willows.

Advantages:

- a. Increase quality of recreational experience of hikers and equestrians. Reduction in recreational activities negatively impacting wilderness experience in Coyote Canyon.
- b. Reduction of some recreational interference during critical periods with habitats of certain sensitive species, e.g. least Bell's vireo, bighorn sheep and amphibians.
- c. Reduce disturbance to bighorn sheep using area south of Middle Willows for fall rut.
- d. Eliminate impacts of camping in all three oases throughout the year.

Disadvantages:

- a. Would require annual reestablishment of road through cutting of 12 foot wide corridor of newly grown native riparian vegetation in Upper and Middle Willows.
- b. Would continue, though over a shortened period, direct impacts to aquatic habitat due to inability to relocate road out of riparian/aquatic areas of Coyote Creek.
- c. Would continue, though in some cases to a lesser degree, impacts to the Significant Natural Areas and Sensitive Habitats.
- d. Would continue, though to a lesser degree, impacts to many of the sensitive and legally protected species in Coyote Canyon. Conflicts between active and passive recreational activities would remain over a 4 1/2 month period.
- e. Continued use of road in riparian/aquatic habitats is inconsistent with current State Park System standards of resource protection.

f. Motor vehicle and mountain bike recreation opportunities would be decreased.

- 3a Extend Closure Period for All Users: Camping Outside of Oases - All recreational users would be restricted from Coyote Canyon beyond the current three month closure, e.g. March 15th to November 1st. This closure period would provide significantly improved protection for sensitive species dependent upon the oases.

Advantages:

- a. Removal of hikers and equestrians from canyon, increasing protection of sensitive species during the extended closure period.
- b. Each recreational user group would be affected in a similar manner.
- c. Eliminate camping impacts in three oases.

Disadvantages:

- a. Disadvantages under alternative "2" would apply.
- b. A large majority of recreationists, e.g. hikers, equestrians and campers, would be excluded from using Coyote Canyon for 8 1/2 months.

- 3b Extend Closure Period for all Users from June 1st to September 30th - The existing closure period to all users of June 15th to September 15th would be extended by two weeks on each end.

Advantages:

- a. Important bighorn sheep watering areas would receive added protection from disturbance from vehicles and passengers during the hot, dry time of the year. Since the original three month closure was imposed, researchers and staff have noted consistent use of Upper and Middle Willows by watering bighorn in early June and late September.
- b. The expanded closure of fifteen days on each end of the current closure occurs during a period of very low public visitation. Few users would be impacted.
- c. The expanded closure has significant benefit because it has been shown that even the seemingly minor impact of only one or two vehicles per day, can significantly reduce the number of bighorn that come down to water.
- d. Special measures such as this are needed because of the drastic reduction of the bighorn herd along the western side of Coyote Canyon, which uses Upper and Middle Willows for watering.

Disadvantages:

- a. Reduces recreational opportunities for all users during the extended 30 day period.
- 4a Establish Closure Area - Maintain Trail Access Through Canyon - Camping Outside Oases -  
Eliminate vehicle use through sensitive riparian/creek habitat. Northern Coyote Canyon, from the south end of Middle Willows to the northern boundary gate near the top of Turkey Track, south of Terwilliger Valley, would be closed to motor vehicles and mountain bikes (see Figures 1, 3,4 and 5).

Advantages:

- a. Would eliminate conflicts between passive and active recreational groups from Middle Willows through Upper Willows to the park's northern boundary.
- b. Would eliminate motor vehicle and mountain bike impacts to listed and other sensitive species dependent upon Middle and Upper Willows, e.g. watering or rutting bighorn sheep.
- c. Eliminate disturbance, including reduction of noise levels below USFWS threshold levels of 60 db for least Bell's vireo, to numerous other riparian breeding birds, e.g. southwestern willow flycatcher, yellow-breasted chat, yellow warbler, and long-eared owl.
- d. Eliminates motor vehicle, mountain bike and camping impacts to Significant Natural Areas and Sensitive Species habitat within the closure area.
- e. Eliminates motor vehicle and mountain bike impacts to aquatic habitat in Upper and Middle Willows where road is located in streambed; provides increased availability of emerging aquatic insects through reduction of direct impacts, vehicle pollution and sedimentation.
- f. Permits permanent restoration of riparian/aquatic habitats where road is located in these areas; approximately nine miles of roadway would be returned to desert scrub, creek and riparian habitat.
- g. Reduces direct site impacts to culturally sensitive areas in closed area through reduced motor vehicle access.
- h. Enhances recreational experience in adjacent wilderness areas.



Disadvantages:

- a. Reduces recreational opportunities for vehicle users in closed area and eliminates through vehicular trail from Coyote Canyon; reduces wildlife viewing in closed areas.
- b. Potential for increased recreation and resulting impacts in areas south of Middle Willows such as Collins Valley, Sheep, Indian, Cougar and Salvador Canyons.
- c. Minor resource impacts from single track trail construction of about five miles if trails routed around oases.
- d. Reduces vehicular access for park management in closed areas.

4b. Eliminate Vehicle Access Through the Willows but Maintain Vehicle Access Above Upper Willows to the North Boundary - As in 4a., motor vehicle and mountain bike access would be closed from Middle Willows to Upper Willows. This alternative would permit vehicular access above Upper Willows between Fig Tree Valley and the northern boundary.

Advantages:

- a. Provides for limited vehicular access along the road above Upper Willows.
- b. About two-thirds of the road could be relocated out of the creek.
- c. Advantages of 4a. apply also to 4b in closed areas between Middle and Upper Willows.

Disadvantages:

- a. One-third of the road above Upper Willows could not be relocated out of the creek, thereby continuing direct impacts to sensitive riparian and aquatic habitats.
- b. Continues to permit road use in Tule and Horse Canyon riparian and aquatic habitats.
- c. Creates a safety hazard for vehicles having to negotiate steep climb (Turkey Track) out of park from Upper Willows. Many vehicle operators would be inclined to take the more passable route south through closed sections of canyon beginning at Upper Willows.
- d. Disadvantages of 4a. apply also to 4b.

5. Rerouting Motor Vehicles and Mountain Bikes Around Sensitive Areas - The current road would be rerouted around Upper and Middle Willows, as was accomplished at Lower Willows in 1987. All potential routes were carefully examined on-site. The results of this effort are discussed below.



All potential alternative routes were examined carefully and are considered impractical because the terrain is too rugged or they involve impacts to significant cultural and natural resources, equal to or greater than the existing route in the creek. The situation for Lower Willows was solved in 1987 because there was a feasible route around the oasis that did not require a major road building project with visual impacts and disturbance to sensitive natural and cultural resources.

At Middle Willows (Figure 3) all conceivable routes around the willows were surveyed on foot. The routes to the west would require building a new road up very steep terrain with a minimum vertical change of approximately 400 feet over a short distance. The routes scouted included all areas from the South Fork, Salvador Canyon (where a potential bypass trail is proposed), east to the Monkey Hill area, then north to where the canyon narrows and riparian habitat begins in the creek bottom. Each ravine was examined but all were too steep to cross without extensive bridging or culvert construction. The canyon bottom itself was searched for possible routes but there are no suitable alignments in the narrow parts of the canyon. Any road location here would require siting the road in portions of the creek and would seriously impact bighorn watering and woodland habitat. The possible route along the northeast side, on the alluvial bench just above the willows, has serious flaws. There are several deep ravines that drain into the main creek which cut directly across this route. Filling or bridging these would cause major visual impacts, would be very difficult to maintain and would likely interrupt natural drainage patterns. Also, this alluvial bench is frequently used by bighorn as an access route to water and as a foraging area (staff observation and Jorgensen, 1973).

Bypassing Upper Willows with a road poses almost the exact same problems as Middle Willows. The creek bottom is too narrow through most of the willow area to permit any road alignment that does not run in the creek for significant lengths or go directly through willows. The bench above the creek to the northeast is too steep in sections and has the same shortcoming as at Middle Willows. The mountainous terrain south and west of Upper Willows is very steep. Even the most gentle route, chosen for the proposed bypass foot trail, would require a major road construction project that would destroy a large swath of desert scrub and leave a cut and fill scar on the slope facing the main canyon above Anza Trail. In addition, existing open areas created by recent storms are prime sites for natural reforestation by riparian trees. These washed out areas are therefore not available as roadways. In short, no feasible route exists for a bypass road around either Middle or Upper Willows.

6. Closure of Entire Canyon to Vehicles: Camping Outside of Oases: The entire Coyote Canyon would be closed to motor vehicles and mountain bikes below Lower Willows to the northern boundary of the park.

Advantages:

- a. Would provide higher level of natural and cultural resource protection than any of the alternatives above.

b. Advantages of Alternative 4a also apply.

Disadvantages:

- a. Would eliminate vehicle user recreational experience through the entire canyon, including access along the Lower Willows bypass and existing road to Middle Willows.
- b. Significant reduction in motor vehicle and mountain bike access may exceed benefits of resource protection, especially in areas where vehicle impacts appear at acceptable levels.
- c. Disadvantages of Alternative 4 also apply.

- 7. Closure of the Entire Canyon to All Public Uses - The entire canyon below Lower Willows would be closed to all active and passive recreational use.

Advantages:

- a. Provides the maximum protection for natural and cultural resources.
- b. Allows for restoration of all road and trail segments in the canyon.

Disadvantages: Unnecessarily eliminates public recreational opportunities from areas where consistent with resource protection.

- 8. Realign Hiking and Equestrian Trails - Many of the alternatives discussed above involve continuation of hiking and equestrian use through Coyote Canyon. Consideration was given to relocation of the current trail alignment(s) to route them around various sensitive resources, such as the oases. The exact routes of access for people on foot or horseback through the length of the canyon was evaluated, with several alternative routes examined in detail.

Access for horse and foot traffic through the main canyon could be maintained by rerouting trails for both uses around Lower, Middle and Upper Willows or any combination thereof. Because trails around the oases generally avoid flash flood areas, they could likely remain open for use except during the summer closure.

Access for horse and foot traffic through the main canyon could be maintained by providing a single trail for both horses and hikers through all three oases. The exact alignment of the trail would be carefully selected each season, based on the guidelines in this plan. The advantage is that no major new trails would have to be built and current historic and recreation values of the existing trail could be maintained. The disadvantage is that it would require very timely annual or twice-annual maintenance in order to prevent disturbance to sensitive riparian and aquatic resources. The trail would have to be marked and trimmed of vegetation (when necessary) each fall and probably at least once again in the late winter after storms.

## V. SELECTED ACTION

1. **Middle and Upper Willows will be closed to motorized vehicles.** The closure will extend from the downstream end of Middle Willows to the upstream end of Upper Willows, a total of 3.1 linear miles (Figures 3 and 4).
2. **On a trial basis, motorized vehicle access will be maintained from the upstream end of Upper Willows near Bailey's cabin to the north boundary.** Signs warning visitors of the difficult road conditions will be posted at the top of Turkey Track. The test period will be used to determine if there is a problem with vehicles violating the closure at Upper Willows in an attempt to take the easier route downstream out of the canyon (Figures 4 and 5).
3. **The current three month seasonal canyon-wide closure for all users will be extended by 30 days to June 1 to September 30.**
4. **Camping will be prohibited in the three main oases; Lower, Middle and Upper Willows.**
5. **A hiking and equestrian trail will be maintained in the canyon bottom through Lower, Middle and Upper Willows, along the corridor of the historic Anza Trail.** The trail will have minor adjustments in order to avoid sensitive resources, such as has already been accomplished for the recently completed trail through Lower Willows (Figures 1-5).
6. **The main hiking and horse trail through Middle and Upper Willows will be open to mountain bikes, providing through-canyon access for all non-motorized uses.** This is undertaken as an exception to current District policy that restricts mountain bike use of motorized vehicle roads and excludes them from single-track trails. Current bike use in the lower canyon will be unchanged, access will be around Lower Willows via the bypass road with no Mountain bike permitted through the Lower Willows oasis (Figures 1-5).
7. **The Department will take specific actions in Coyote Canyon to reduce or eliminate low level aircraft flights, control major exotic flora and fauna, increase identification and protection of prehistoric and historic resources and continue monitoring of desert bighorn sheep.** In regards to low-level aircraft flyovers through the canyon, California State Parks will contact the appropriate military officials in order to address enforcement of current regulations and laws governing aircraft use in Wilderness Areas within Coyote Canyon. Continued active resource management programs will focus on controlling external threats to and maintaining the integrity of biological systems, as well as physical and cultural resources.

## VI. PUBLIC REVIEW PROCESS

- A. Public Review.** California State Parks will make copies of the Final Draft Coyote Canyon Public Use Plan available to the public. Additional copies can be obtained through the Colorado Desert District Office, 200 Palm Canyon Drive, Borrego Springs, CA 92004, (619) 767-5311 and at the Southern Service Center Office, 8885 Rio San Diego Drive, Suite #270, San Diego, CA 92108 (619) 220-5300. Comments or inquiries can be made during the comment phase of the CEQA process.
- B. Public Meetings.** During the initial stages of the development of the management plan, two public meetings were held, on February 24 and 27, 1995. The purpose of the meetings was to present the alternate actions considered and to receive comments from the public. All meeting discussion and comments were evaluated and considered in developing the management actions proposed.
- C. Final Plan.** After the results of the CEQA Public notification and comment process are complete, the Colorado Desert District will issue a final plan and implement the actions.
- D. Implementation.** The Department will take the following steps to implement the new plan: 1) notify appropriate media, 2) update brochures, maps and park newspaper, 3) District Superintendent will issue "Posted Order" of changes in roads, trails, closure dates, camping regulations and any other changes resulting from the plan, 4) staff and volunteers will be briefed on the new plan in order to provide accurate information to the public, 5) new signs and gates will be installed at appropriate locations to notify users of any changes in management of the canyon.

## VII. BIBLIOGRAPHY

- Bean, L. J. and K. Siva Suabel. 1972. Temalpakh, Cahuilla Indian Knowledge and Usage of Plants. Banning California: Malki Museum Press. 225p.
- Brode, J. M., and R.B. Bury. 1984. The importance of riparian systems to amphibians and reptiles. p. 30-36. In R.E. Warner and K.M. Hendrix (ed.). California Riparian Systems. University of California Press, Berkeley.
- Johnson, R.R., L.T. Haight, and J.M. Simpson. 1977. Endangered species vs. endangered habitats: a concept. p. 68-79. In R.R. Johnson and D.A. Jones. Importance, management of riparian habitat: a symposium. USDA Forest Service GTR-RM-43, Rocky Mountain Forest and Range Experiment Station, Fort Collins, Colo.
- Jorgensen, P. 1974. Vehicle Use At A Desert Bighorn Watering Area. Desert Bighorn Council. 1974 Transactions. p. 18-24.
- Monson, G. and L. Sumner. (eds.) 1980. Desert Bighorn. Tucson: University of Arizona Press.
- Phillips, G. H. 1975. Chief's and Challengers: Indian Resistance and Cooperation in Southern California. Berkeley: University of California Press.
- Strong, W.D. 1929. Aboriginal Society in Southern California. University of California. Publications in American Archeol. and Ethnol. 26. Berkeley: Univ. of Calif. Press.
- Van Cleve, D. H., L. A. Comrack and H. A. Wier. 1989. Coyote Creek (San Diego County) Management and Restoration At Anza-Borrego Desert State Park. USDA Forest Service Gen. Tech. Rep. PSW-110. p 149-153.
- Vyverberg, K. 1991. Effect of Alluvial Substrate and Changes in Channel Morphology on Riparian Vegetation in Coyote Canyon, Anza-Borrego Desert State Park. Unpublished report, California Department of Parks and Recreation, Anza-Borrego Desert State Park. 30pp.
- Warner R. E. and K.M. Hendrix (ed.). California Riparian Systems. University of California Press, Berkeley.

## VIII. APPENDICES

## APPENDIX A. ROAD, TRAIL AND CAMPING MANAGEMENT GUIDELINES

1. **Public Notification:** There will be timely notification to the public of any changes in regulations or policy, through all appropriate media. Park brochures, maps, newspaper etc. will be updated to include the changes. Park affiliated organizations will also be encouraged to carry notice of the changes.

As required by park regulation, the District Superintendent will issue a "Posted Order" if there are changes in roads and trails use. Staff and volunteers will be provided with information to explain the purpose of the action.

New regulatory signs will be installed if necessary at appropriate locations. All legal entry routes will be posted and all signs will specify appropriateness of recreation uses, including camping.

2. **Authorized Camping Areas.** Any changes in areas available for camping will be made in writing by the District Superintendent, and the public will be appropriately notified.
3. **Road Alignment And Gate Placement:** Any change in road alignment established as a result of this plan or at any other time must be approved in writing by the District Superintendent prior to any work. The utmost care must be taken at all times, even after major flooding, because of the numerous sensitive natural and cultural resources identified in this plan and those that may be identified in the future. An exception to the written authorization is the case of minor reroutes, no greater than the width of the road, that are needed to avoid washouts or other hazards. This exception does not include areas where a reroute will go through a different habitat than the original section or where there is any reason to believe that the area in question has cultural material present.
4. **Trail Construction And Routing Guidelines For Coyote Canyon.**
  - a. All trails will be routed to avoid sensitive resources, particularly cultural sites and trails, riparian and creek habitat. The potential visual impacts of trail alignments will be considered. This will be accomplished by trained staff, who will carefully select the least damaging route. Given the terrain and habitat, this will require regular meanders to avoid individual features such as rocks, plants, middens and Native American foot trails etc.
  - b. Trails will be routed with the lay of the land and may by necessity meander considerably. The various factors in this guideline will take precedence over any attempt to maintain a straight-line trail.
  - c. For safety, trails will be located to avoid such hazards as vehicle roadways, flash flood sites, dangerous rock overhangs and will avoid confusing routes.

- d. To reduce annual maintenance and increase the life of the trail, priority will be given to creating "all-weather" trails, located out of washes and away from areas subject to high erosion.
  - e. Single track trails for hikers and/or horseback riders will be built as narrow as Department specifications permit and as is safe. Minimal vegetation trimming and obstacle clearing will be done to reduce impacts to resources and to minimize the visual impact of the trail.
  - f. Trail alignment will be selected with consideration to the existence of historic trails.
  - g. Trails will be located to provide users with some access to the creek if possible, to provide for the esthetic enjoyment of visitors and as a water source for horseback users.
  - h. Trails will be designed to take maximum advantage of any interpretive opportunities in the area, such as scenic views, Anza Trail or cultural features etc.
  - i. Trail markers and signage will be regularly maintained to reduce the likelihood of unauthorized side trails being used. Particular attention will be given to adequately marking confusing areas, such as natural forks in the trail or areas subject to wash out. Brown fiberglass Carsonite signs are recommended in frequent washout areas because of durability and ease of installation. Standard 4x4 posts will be used in all other areas.
  - j. All activities will be evaluated by resources staff for compliance with CEQA.
5. **Procedures For Reestablishing The Road Or Trail After Washouts etc.** The following administrative procedure will be required:
- a. If the exact former route can be located and no resources are affected then the reestablishment requires only verbal approval by the supervisor.
  - b. If reestablishment of the trail or road involves taking a route other than the former one, then the assigned ranger or field staff will define the proposed route on a 7.5 topographic map (or other more detailed map as available) based on the above guidelines and on known sensitive resources.
  - c. The map and a written explanation by the field staff person will be provided to the District Superintendent (D.S.) through the chain of command.
  - d. The D.S. will consult with appropriate resource and enforcement staff and issue a written order as an amendment to the approved road plan. No rerouting of traffic, marking of a proposed reroute or public announcements authorizing trail use, will take place prior to written authorization by the D.S.



6. **Routine Trail and Road Maintenance.** In order to maintain road markers, especially through some of the more confusing open washes, and to keep the signs, gates and fence barriers properly maintained, it will be necessary to schedule regular maintenance. These trails, signs and gates will be put on the routine maintenance schedule and maintenance staff will be responsible for upkeep. The patrol ranger will assist as possible, keep maintenance staff informed of any repair needs and make minor repairs. Due to the extent of closure facilities and the legal responsibility to keep them continually maintained, it may not be practical for the ranger to perform the bulk of these duties.
7. **Provisions For Official Access After Road Closures.** Access for resource management and law enforcement to any newly closed areas to vehicles will be addressed in the same manner as the large number of other areas in the park with similarly limited access. Methods for access and oversight could include patrol by the park plane, hiking in and horseback. In the event that the north part of the canyon is closed to vehicles, official vehicles could gain temporary access from the north boundary as far south as Bailey's Cabin, at least as long as the road remains usable without maintenance. Special measures could be employed for certain projects such as archeological work and feral livestock control. These measures could include the use of helicopter or hiking in and setting up a base camp.
8. **Monitoring.** As actions are undertaken, the Department will implement a monitoring program to determine the effectiveness and impact of this plan to resources and recreation.

**APPENDIX B. LEGAL CITATION SUMMARY**

The following laws and policies are referenced in this plan, in order of citation:

1. The Significant Natural Areas Act of 1981. Establishes SNAs in California.
2. California Fish and Game Code, Sections 1930-1933, addresses maintenance and perpetuation of State's most significant natural areas.
3. California Public Resources Code (PRC), Section 5019.53. States that " the purpose of State Parks shall be to preserve outstanding natural, scenic and cultural values.
4. PRC and California Environmental Quality Act (CEQA), Section 21001.C. States that State agencies " shall prevent the elimination of fish or wildlife species due to man's activities.
5. CEQA, Article 5, Section 15065A. This section defines " mandatory findings of significance" for a project.
6. California Fish and Game Code Section 1601-1603. Requires permits for streambed alterations, including for trails and roads in streams .
7. Keene-Nejedly California Wetlands Preservation Act of 1976. Provides strict protection for wetlands such as Coyote Creek.
8. PRC Sections 5810-5812 and 5816 address various mandates of the State to protect wetlands in Coyote Creek.
9. U.S. Clean Water Act, Section 402. Prevents discharge of pollutants into such as Coyote Creek.
10. California Endangered Species Act (CESA), including Fish and Game Codes 2090, 2095 and 2080. Provides protection for State listed species.
11. Federal Endangered Species Act (FESA), including Section 9, CFR, 17.3. Provides protection for federal listed species with specific definitions of what constitutes "take".
12. CEQA Section 15380. Provides protection for many species not officially listed under FESA or CESA.
13. State of California Health and Safety Code, Section 7052. Specifies that it is a felony to disturb human remains.

14. PRC Codes 5097.5 and 5097.99. Defines as a misdemeanor the unauthorized disturbance or removal of archeological or historical resources on public lands.
15. PRC Codes 5024 and 5024.5. Requires state government to inventory and protect historic structures and materials.
16. The National Historic Preservation Act of 1966. Establishes the State Historic Preservation Office to inventory and protect historic resources.
17. The Governor's Executive Order W-26-92. Directs State agencies to administer and protect all cultural and historic resources within the State.
18. California Department of Fish and Game Code 308.5. Preservation & Prohibitions Concerning Mountain Sheep, etc. May prohibit any activity, including camping, at watering sources on public lands.
19. California Department of Parks and Recreation (CDPR) Native California Indian Gathering Policy. Seeks to preserve Native California cultural gathering of plant material.
20. California Wilderness Act and PRC Sections 5093.30-5093.40. Establishes laws governing wilderness areas including stipulation that roads and vehicles are excluded.
21. PRC Section 5019.5. Requires CDPR to establish and administer park unit carrying capacities.
22. CDPR Resource Management Directives 1830 and 1832.4. Provides protective measures when damage occurs due to overuse.

## APPENDIX C. ADDITIONAL LAND USE PLANNING

1. **General Plan.** Anza Borrego Desert State Park does not have a general plan; however, the Department is in the third year of a resource inventory and general planning process that will produce a final plan in about four to five years. Funds have been allocated and a resource inventory team has been hired to develop the resource inventory portion of the plan. The first five years of the process, 1993-97, involve an intensive inventory and study of cultural, aesthetic and natural resources. The inventory phase will involve conducting numerous new field investigations in addition to an exhaustive compilation of existing data. This portion of the larger planning effort will, by 1997, develop a very useful Geographic Information System (GIS) mapping of key resource features for the entire Park, including Coyote Canyon. Those features to be mapped include: topographic features, vegetation communities, special habitats, sensitive species, cultural sites, paleontological sites, historical sites, public use facilities, hydrologic features etc. Compilation of the data, preparation of the draft General Plan, public and agency review, rewrites and final plan development are expected to take from 1997 to about 1999.
2. **Current Studies.** The following work, which pertains to Coyote Canyon, is either in progress or recently completed. Data from these studies have been used to develop this plan.
  - a. Vegetation, geomorphology and hydrology of Lower, Middle and Upper Willows, 1992-94, by University of California, Berkeley, under contract to CDPR.
  - b. Survey Of Aquatic Resources Of Anza- Borrego Desert State Park, by the Regents of University of California, Marine Science Institute, UCSB under contract to CDPR.
  - c. Peninsular Bighorn Population and Disease Study, 1992-96, U.C. Davis, California Fish and Game, CDPR.
  - d. Coyote Canyon Tamarisk Removal Project, 1992-95, under contract by CDPR.
  - e. Least Bell's Vireo Population Census and Cowbird Trapping Program, Ongoing since 1986, CDPR.
  - f. Peninsular Bighorn Annual Census, Ongoing since 1971, by CDPR.
  - g. Paleontology of Lower Coyote Canyon by ABDSP Paleontology classes, 1974 to present.
  - h. Three seismic monitoring stations by U.S. Geological Survey.
  - i. One water level gauge monitoring station by USGS.